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2120 – Served  
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 SUMMONS

2121 – Served  
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(8/01/018) CCG 0001 A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
 COUNTY DEPARTMENT, LAW DIVISION

ROSE MOSS,

Plaintiff,

v.

SCOTT SHELTON, individually and as agent of  
 SILTWORM INC., and EROSION  
 AND SEDIMENT SERVICES, LLC.,

Defendants.

Please Serve 2020L011144  
 Erosion and Sediment Services, LLC  
 c/o Rexford Polovitch or Registered Agent  
 7037 Grand Blvd  
 Hobart, IN 46342

2020 OCT 22 AM 11:14

LC SHERIFF DEPT

SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee **within thirty (30) days after service of this Summons**, not counting the day of service. To file your answer or appearance you need access to the internet. Please visit [www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org) to initiate this process. Kiosks with internet access are available at the Office of the Clerk of this Court at the Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602 and all other Clerk's Office locations.

**IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.**

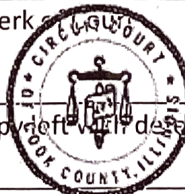
To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

BRUSTIN & LUNDBLAD, LTD.  
 10 N. Dearborn Street, 7<sup>th</sup> Floor  
 Chicago, Illinois 60602  
 (312) 263-1250  
 Attorney No.: 21626

WITNESS, \_\_\_\_\_  
 10/19/2020 11:29 AM DOROTHY BROWN

Clerk



Date of service: \_\_\_\_\_  
 (To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: \_\_\_\_\_  
 (Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION**

ROSE MOSS

v.

SCOTT SHELTON, individually and as agent of SILTORM INC and EROSION AND SEDIMENT SERVICES LLS

No.

2020L011144

**CIVIL ACTION COVER SHEET - CASE INITIATION**

A Civil Action Cover Sheet - Case Initiation shall be filed with the complaint in all civil actions. The information contained herein is for administrative purposes only and cannot be introduced into evidence. Please check the box in front of the appropriate case type which best characterizes your action. Only one (1) case type may be checked with this cover sheet.

Jury Demand ☒ Yes ☐ No**PERSONAL INJURY/WRONGFUL DEATH****CASE TYPES:**

- ☒ 027 Motor Vehicle  
☐ 040 Medical Malpractice  
☐ 047 Asbestos  
☐ 048 Dram Shop  
☐ 049 Product Liability  
☐ 051 Construction Injuries  
     (including Structural Work Act, Road  
     Construction Injuries Act and negligence)  
☐ 052 Railroad/FELA  
☐ 053 Pediatric Lead Exposure  
☐ 061 Other Personal Injury/Wrongful Death  
☐ 063 Intentional Tort  
☐ 064 Miscellaneous Statutory Action  
     (Please Specify Below\*\*)  
☐ 065 Premises Liability  
☐ 078 Fen-phen/Redux Litigation  
☐ 199 Silicone Implant

**TAX & MISCELLANEOUS REMEDIES****CASE TYPES:**

- ☐ 007 Confessions of Judgment  
☐ 008 Replevin  
☐ 009 Tax  
☐ 015 Condemnation  
☐ 017 Detinue  
☐ 029 Unemployment Compensation  
☐ 031 Foreign Transcript  
☐ 036 Administrative Review Action  
☐ 085 Petition to Register Foreign Judgment  
☐ 099 All Other Extraordinary Remedies

By: Brent A. Smith

(Attorney)

(Pro Se)

FILED

10/19/2020 11:29 AM

DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL

10820774

(FILE STAMP)

**COMMERCIAL LITIGATION****CASE TYPES:**

- ☐ 002 Breach of Contract  
☐ 070 Professional Malpractice  
     (other than legal or medical)  
☐ 071 Fraud (other than legal or medical)  
☐ 072 Consumer Fraud  
☐ 073 Breach of Warranty  
☐ 074 Statutory Action  
     (Please specify below.\*\*)  
☐ 075 Other Commercial Litigation  
     (Please specify below.\*\*)  
☐ 076 Retaliatory Discharge

**OTHER ACTIONS****CASE TYPES:**

- ☐ 062 Property Damage  
☐ 066 Legal Malpractice  
☐ 077 Libel/Slander  
☐ 079 Petition for Qualified Orders  
☐ 084 Petition to Issue Subpoena  
☐ 100 Petition for Discovery

\*\*

Primary Email: bsmith@mablawltd.com

Secondary Email: secretary@mablawltd.com

Tertiary Email:

**Pro Se Only:** ☐ I have read and agree to the terms of the Clerk's Office Electronic Notice Policy and choose to opt in to electronic notice form the Clerk's Office for this case at this email address:

**DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS**

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10/19/2020 11:29 AM  
DOROTHY BROWN  
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
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ROSE MOSS,

Plaintiff,

v.

SCOTT SHELTON, individually and as agent of  
SILTWORM INC., and EROSION  
AND SEDIMENT SERVICES, LLC.,

Defendants.

Court No.: 2020L011144

**COMPLAINT AT LAW**

NOW COMES the Plaintiff, ROSE MOSS, by and through her attorneys, BRUSTIN & LUNDBLAD, LTD., and complaining of the Defendants, SCOTT SHELTON, individually and as agent of SILTWORM INC., and EROSION AND SEDIMENT SERVICES, LLC., states as follows:

**COUNT I – SCOTT SHELTON**

1. On or about September 23, 2019, Plaintiff, ROSE MOSS, was a passenger in an automobile that was stopped in an eastbound direction on the Illinois 394 southbound exit ramp to yield for traffic at or near its intersection with Lincoln Highway East in Bloom Township, County of Cook and State of Illinois.

2. On or about September 23, 2019, Defendant, SCOTT SHELTON, was the driver of a vehicle operated, maintained, owned and/or controlled by Defendants SILTWORM INC., and/or EROSION AND SEDIMENT SERVICES, LLC.

3. That on or about September 23, 2019, Defendant, SCOTT SHELTON, was operating said vehicle in an eastbound direction on the Illinois 394 southbound exit ramp at or near its intersection with Lincoln Highway East in Bloom Township, County of Cook and State of Illinois.

4. That on September 23, 2019, Defendant, SCOTT SHELTON, was the employee and/or agent of Defendants SILTWORM INC. and/or EROSION AND SEDIMENT SERVICES, LLC, and was engaged in the business of SILTWORM INC., and/or EROSION AND SEDIMENT SERVICES, LLC.

5. That it was the duty of the Defendant, SCOTT SHELTON, individually and as employee and/or agent of Defendants SILTWORM INC., and/or EROSION AND SEDIMENT SERVICES, LLC, to exercise due care while operating the abovementioned vehicle.

6. Notwithstanding the abovementioned duty Defendant, SCOTT SHELTON, individually and as employee and/or agent of Defendants SILTWORM INC., and/or EROSION AND SEDIMENT SERVICES, LLC, committed one or more of the following acts of negligence:

- a) Drove his vehicle at a speed which was greater than reasonable and proper for conditions in violation of 625 ILCS Section 5/11 – 601;
- b) Failed to maintain a proper lookout for traffic conditions and vehicles ahead;
- c) Followed vehicles ahead too closely in violation of 625 ILCS Section 5/11 – 710; or,



d) Failed to stop his vehicle in time to avoid a collision.

7. That as a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions, the vehicle operated by Defendant, SCOTT SHELTON, struck and collided with the rear-end of the vehicle in which Plaintiff was a passenger.

8. That as a direct and proximate result of one or more the aforesaid careless and negligent acts and/or omissions of the Defendant, SCOTT SHELTON, the Plaintiff, ROSE MOSS, then and there sustained severe and permanent injuries, was and will be hindered and prevented from attending to her usual duties and affairs of life, and has lost or will lose, income and earning capacity. Further, Plaintiff, ROSE MOSS, suffered great pain and anguish, both in mind and bodies, and will, in the future, continue to suffer. Plaintiff, ROSE MOSS, further expended and became liable for and will expend and become liable for additional sums of money in the future for medical care and services to treat her injuries.

WHEREFORE, the Plaintiff, ROSE MOSS, by and through her attorneys, BRUSTIN & LUNDBLAD, LTD., prays for judgment against the Defendant, SCOTT SHELTON individually and as employee and agent of defendant SILTWORM INC., and/or EROSION AND SEDIMENT SERVICES, LLC, in an amount in excess of Fifty Thousand Dollars (\$50,000.00).

#### **COUNT II – SILTWORM INC.**

1. Plaintiff re-alleges paragraph 1-7 of Count I as if fully set forth herein.

8. That as a direct and proximate result of one or more the aforesaid careless and negligent acts and/or omissions of the Defendant, SCOTT SHELTON, individually and as employee and agent of defendant SILTWORM INC., the Plaintiff, ROSE MOSS, then and there

sustained severe and permanent injuries, was and will be hindered and prevented from attending to her usual duties and affairs of life, and has lost or will lose, income and earning capacity. Further, Plaintiff, ROSE MOSS, suffered great pain and anguish, both in mind and bodies, and will, in the future, continue to suffer. Plaintiff, ROSE MOSS, further expended and became liable for and will expend and become liable for additional sums of money in the future for medical care and services to treat her injuries.

WHEREFORE, the Plaintiff, ROSE MOSS, by and through her attorneys, BRUSTIN & LUNDBLAD, LTD., prays for judgment against the Defendant, SILTWORM INC., in an amount in excess of Fifty Thousand Dollars (\$50,000.00).

**COUNT III – EROSION AND SEDIMENT SERVICES LLC.**

1. Plaintiff re-alleges paragraph 1-7 of Count I as if fully set forth herein.

8. That as a direct and proximate result of one or more the aforesaid careless and negligent acts and/or omissions of the Defendant, SCOTT SHELTON, individually and as employee and agent of Defendant, EROSION AND SEDIMENT SERVICES, LLC, the Plaintiff, ROSE MOSS, then and there sustained severe and permanent injuries, was and will be hindered and prevented from attending to her usual duties and affairs of life, and has lost or will lose, income and earning capacity. Further, Plaintiff, ROSE MOSS, suffered great pain and anguish, both in mind and bodies, and will, in the future, continue to suffer. Plaintiff, ROSE MOSS, further expended and became liable for and will expend and become liable for additional sums of money in the future for medical care and services to treat her injuries.

WHEREFORE, the Plaintiff, ROSE MOSS, by and through her attorneys, BRUSTIN &

LUNDBLAD, LTD., prays for judgment against the Defendant, EROSION AND SEDIMENT SERVICES, LLC, in an amount in excess of Fifty Thousand Dollars (\$50,000.00).

Respectfully submitted,

**BRUSTIN & LUNDBLAD, LTD.**

By: /s/ Brent A. Smith  
Brent A. Smith

Brent A. Smith  
**BRUSTIN & LUNDBLAD, LTD.**  
10 N. Dearborn Street, 7<sup>th</sup> Floor  
Chicago, Illinois 60602  
(312)263-1250  
[bsmith@mablawltd.com](mailto:bsmith@mablawltd.com)  
Firm ID: 21626  
*Attorney for Plaintiff*

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Defendants.

Court No.: 2020L011144

AFFIDAVIT PURSUANT TO ILLINOIS SUPREME COURT RULE 222(b)

I, Brent A. Smith, one of the attorneys representing Plaintiff, hereby certify that, based on his experience in handling personal injury claims, the total of money damages sought in this case exceeds \$50,000.00.

Respectfully submitted,

BRUSTIN & LUNDBLAD, LTD.

/s/ Brent A. Smith

Brent A. Smith

BRUSTIN & LUNDBLAD, LTD.  
10 N. Dearborn Street, 7th Floor  
Chicago, IL 60602  
Atty No. 21626  
bsmith@mablowltd.com

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